HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

-

Writ Petition No. 11263 of 2005

-

Dated: 28th November, 2005

Between:

Yarla Rajaiah, S/o.Mallaiah, R/o.Lashkara Singaram Village,

Hanmakonda Mandal, Warangal District.

..... PETITIONER

AND

1.Government of Andhra Pradesh, rep. by its Secretary,

Revenue Department, Secretariat, Hyderabad and others.

.....RESPONDENTS

HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

Writ Petition No.11263 of 2005

ORDER:

When W.P.M.P.No.32180 of 2005 came up for consideration, with the consent of both the parties, the writ petition itself is taken up for hearing and is being disposed of by this Order.

2. This writ petition has been filed by Yarla Rajaiah with a prayer to issue writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the respondents in seeking to evict him from the land admeasuring Ac.0.11 guntas comprising Survey No.269/A in Lashkarsingaram village, Hanamakonda Mandal, Warangal District, without following due process of Law, is arbitrary and

illegal.

3. It is the case of the petitioner that he has been in possession of the land admeasuring Ac.0.11 guntas comprising Survey No.269/A. Revenue authorities issued pattadar passbook/title deed in his favour in respect of the said land. It is his further case that the respondents are attempting to dispossess him highhandedly. Thus, he approached this Court by invoking the jurisdiction under Article 226 of the Constitution of India with the prayer stated supra.

4. Heard learned counsel appearing for the petitioner and learned Government Pleader for Revenue appearing for the respondents.

5. Learned counsel appearing for the petitioner submits that the petitioner has been in possession and enjoyment of the land admeasuring Ac.0.11 guntas comprising Survey No.269/A since long time and therefore, the action of the respondents in seeking to evict him from the said land is arbitrary and illegal. He further submits that the petitioner submitted representation to the concerned authorities to conduct survey of the land in his possession.

6. In that view of the matter, I deem it appropriate to dispose of the writ petition directing the respondents to consider the representation of the petitioner and pass appropriate orders within six weeks from the date of receipt of a copy of this Order. The Order passed in this writ petition does not preclude the respondents in taking action in accordance with law, if the petitioner is found to be in illegal possession of the land. No order as to costs.

_____

B.SESHASAYANA REDDY, J.

Dated: 28th November, 2005.

cs